



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.usplo.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/540,990	03/31/2000	Toshiya Aramaki	Q58575	3246	
7590 06/01/2004 SUGHRUE MION ZINN MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue NW Washington, DC 20037-3213			EXAMINER		
			HSU, ALPUS		
			ART UNIT	PAPER NUMBER	
			2665	a	
			DATE MAILED: 06/01/2004	4 9	

Please find below and/or attached an Office communication concerning this application or proceeding.

T
-

Office Action Summary    Stammer		Application No.	Applicant(s)				
Alpus H. Hsu		09/540,990	ARAMAKI ET AL.				
The MALING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Eatherized of them may be wisted under the provision of 3 CFR 1.13(6), in no event, however, may a reply be firely field  Eatherized or the may be prevented under the provision of 3 CFR 1.13(6), in no event, however, may a reply be firely field  Eatherized or reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days, a reply which the statutory maintained for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed above is less than thirty (30) days and provided from the replication of the communication of the period of the communication of the communication.  If the period for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed above is less than thirty (30) days will be considered simply.  If the period for reply appealed the period for reply appealed to period for reply appealed appealed to the meriod appealed to period for reply appealed appealed appealed the period for reply appealed appealed appealed appealed appealed ap	Office Action Summary	Examiner	Art Unit				
Period for Reply  A SHONTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  arter SIX (8) MONTHS from the mailing date of this communication.  If the period creys specified above, the maximum statutory period will apply within the statutory minimum of thiny (30) days will be considered timely.  If NO period for regly is specified above, the maximum statutory period will apply and will espice SIX (8) MONTHS from the mailing date of this communication.  If NO period for regly is specified above, the maximum statutory period will apply and will espice SIX (8) MONTHS from the mailing date of this communication. The specified above, the maximum statutory period will apply and will espice SIX (8) MONTHS from the mailing date of this communication, even if limity fleed, may reduce any search patient term adjustment. See 37 CFR 1.764(b).  Status  1)  Responsive to communication(s) filled on 24 February 2004.  2a) This action is FINAL.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1.14 is/are pending in the application.  4a) Of the above claim(s) is/are allowed.  6) Claim(s) 3.14 is/are objected to.  8) Claim(s) 3.14 is/are objected to.  8) Claim(s) 3.14 is/are objected to.  8) Claim(s) 3.14 is/are objected to restriction and/or election requirement.  Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the cornection is required if the drawing(s) is objected to. See 37 CFR 1.121(d). The oath or declaration is objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the cornection is required if the drawing(s) is objected to. See 37 CFR 1.121(d). The oath or declaration i	·	1 '	1				
THE MAILING DATE OF THIS COMMUNICATION.  Extractions of time may be available under by provision of 3 CFR 1.13(a). In no event, however, may a riply be linely filed after \$1X, (b) MCNTRS from the mailing date of this communication of \$1 CFR 1.13(a). In no event, however, may a riply be linely filed after \$1X, (b) MCNTRS from the mailing date of this communication.  If NO provide or riply is spondied above, the maximum studency prind value about a vision of the mailing date of this communication.  Falue to reply within the set of extended period for reply will, by statute, cause the application to become ABANDONED (38 U.S.C. § 133). Any reply received by the Office will be than these months after the mailing date of this communication, even if timely filed, may reduce say verification in the set of the communication o	The MAILING DATE of this communication app Period for Reply	ears on the cover sheet w	ith the correspondence address				
1) Responsive to communication(s) filed on 24 February 2004.  2a) ☐ This action is FINAL. 2b) ☑ This action is non-final.  3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4  ○ Claim(s)	<ul> <li>THE MAILING DATE OF THIS COMMUNICATION.</li> <li>Extensions of time may be available under the provisions of 37 CFR 1.1: after SIX (6) MONTHS from the mailing date of this communication.</li> <li>If the period for reply specified above is less than thirty (30) days, a reply If NO period for reply is specified above, the maximum statutory period Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing</li> </ul>	36(a). In no event, however, may a y within the statutory minimum of thin will apply and will expire SIX (6) MOI, cause the application to become A	reply be timely filed rty (30) days will be considered timely. NTHS from the mailing date of this communication. BANDONED (35 U.S.C. § 133).				
2a)  This action is FINAL. 2b) This action is non-final.  3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s) 1-14 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)  Claim(s) is/are allowed. 6)  Claim(s) 1 and 2 is/are rejected. 7)  Claim(s) 3-14 is/are objected to. 8)  Claim(s) 1 and 2 is/are rejected. 7)  Claim(s) 2 is/are objected to restriction and/or election requirement.  Application Papers  9)  The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) cocepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s) 1) Notice of Prafspersor's Patent Drawing Review (PTO-948) 3) Notice of Informal Patent.	Status		•				
3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)  Claim(s)	1) Responsive to communication(s) filed on 24 Fe	<u>ebruary 2004</u> .					
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4)	2a) This action is <b>FINAL</b> . 2b) ⊠ This	<u> </u>					
A) Claim(s) 1-14 is/are pending in the application.  4a) Of the above claim(s)		☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
4) ☐ Claim(s) 1-14 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) ☐ Claim(s) is/are rejected. 7) ☐ Claim(s) 3-14 is/are objected to. 8) ☐ Claim(s) 3-14 is/are objected to. 8) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892) 3 ☐ Notice of References Cited (PTO-1449 or PTO/SB/08) 5 ☐ Notice of Independence Teached	closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
4a) Of the above claim(s) is/are withdrawn from consideration.  5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are allowed. 7) ☐ Claim(s) are zelected. 7) ☐ Claim(s) are subject to restriction and/or election requirement.  Application Papers  9) ☐ The specification is objected to by the Examiner.  10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☐ Notice of References Cited (PTO-892)  1) ☐ Notice of Oratisperson's Patent Drawing Review (PTO-948)  3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) ☐ Notice of Internal Patent Application (PTO-152)	Disposition of Claims						
9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of References Cited (PTO-892)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) Notice of Informal Patent Application (PTO-152)	<ul> <li>4a) Of the above claim(s) is/are withdraw</li> <li>5) ☐ Claim(s) is/are allowed.</li> <li>6) ☒ Claim(s) 1 and 2 is/are rejected.</li> <li>7) ☒ Claim(s) 3-14 is/are objected to.</li> </ul>	wn from consideration.					
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  11) ☐ Notice of Praftsperson's Patent Drawing Review (PTO-948)  33 ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  10 ☐ Notice of Informal Patent Application (PTO-152)	Application Papers						
12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) ☐ All b) ☐ Some * c) ☐ None of:  1. ☐ Certified copies of the priority documents have been received.  2. ☐ Certified copies of the priority documents have been received in Application No  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) ☑ Notice of References Cited (PTO-892)  2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) ☐ Notice of Informal Patent Application (PTO-152)	10) The drawing(s) filed on is/are: a) acceeds applicant may not request that any objection to the Replacement drawing sheet(s) including the correct	epted or b) objected to drawing(s) be held in abeyation is required if the drawing	nce. See 37 CFR 1.85(a). i(s) is objected to. See 37 CFR 1.121(d).				
a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)    Notice of References Cited (PTO-892)	Priority under 35 U.S.C. § 119	•					
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)	<ul> <li>a) All b) Some * c) None of:</li> <li>1. Certified copies of the priority documents have been received.</li> <li>2. Certified copies of the priority documents have been received in Application No.</li> <li>3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ul>						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152)							
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application (PTO-152)							
	2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)	Paper No( 5) Notice of I	s)/Mail Date  nformal Patent Application (PTO-152)				

Application/Control Number: 09/540,990

Art Unit: 2665

1. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by TANABE et al. in U.S. Patent No. 5,177,736 (newly cited).

Regarding claim 1, by broadly interpreting the R1-R3 of routing information as the claimed sequence number, TANABE et al. discloses a packet switch (200) formed by connecting unit switches (210, 220, 230) in multi-stages, providing a unit switch (210) at the first stage assigns a sequence number to an input packet according to a destination of the packet and distributes and sends out the packet to a unit switch at a succeeding stage (220), and a unit switch (230) at the final stage sequences and outputs a packet received from a unit switch (220) at a preceding stage according to a sequence number assigned to the packet (see col. 5, lines 46-62, col. 7, lines 7-12, col. 8, line 56 to col. 9, line 51).

Regarding claim 2, TANABE et al. discloses the assigning of identification information about its own switch which is a unit switch having received input of the packet (see col. 5, line 66 to col. 6, line 7, col. 6, lines 40-66, col. 7, line 43 to col. 8, line 21).

4. Claims 3-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Application/Control Number: 09/540,990

Art Unit: 2665

Page 3

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dias et al., Sethu et al., Sethu and Hluchyj are additionally cited to show the common feature of multi-stages switching network constructed by a plurality of switch elements for routing data packets or bits similar to the claimed invention.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alpus H. Hsu whose telephone number is (703)305-4377. The examiner can normally be reached on M-F (5:30-3:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D. Vu can be reached on (703)308-6602. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-4700.

AHH

Primary Examiner Art Unit 2665